

EXHIBIT “5”

RE: Karzinka, Inc.
OUR FILE NO.: 26981

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Appendix D

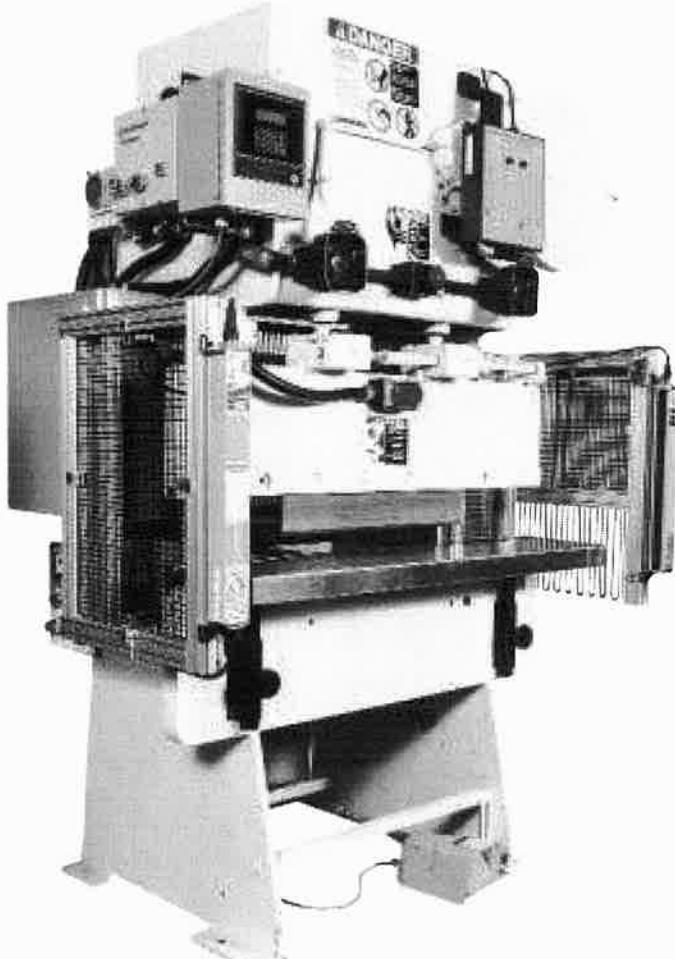
Excerpts of OSHA 3170-02R (2007) Safeguarding Equipment and Protecting Employees from Amputations.



**Occupational
Safety and Health
Administration**

www.osha.gov

Safeguarding Equipment and Protecting Employees from Amputations



**Small Business Safety and
Health Management Series**
OSHA 3170-02R 2007

Case History #15

An employee was cleaning a meat slicer that was turned off but was still plugged in. He inadvertently turned the machine on by bumping the on/off switch, resulting in an amputation of his right ring finger.

Safeguarding and Other Controls for Food Slicers

Food slicers must be used with guards that cover the unused portions of the slicer blade on both the top and bottom of the slicer. You should buy slicers already equipped with a feeding attachment on the sliding mechanism of the food holder or purchase the attachment separately and install it before use. Instruct employees to use a pushing/guarding device with chute-fed slicers.

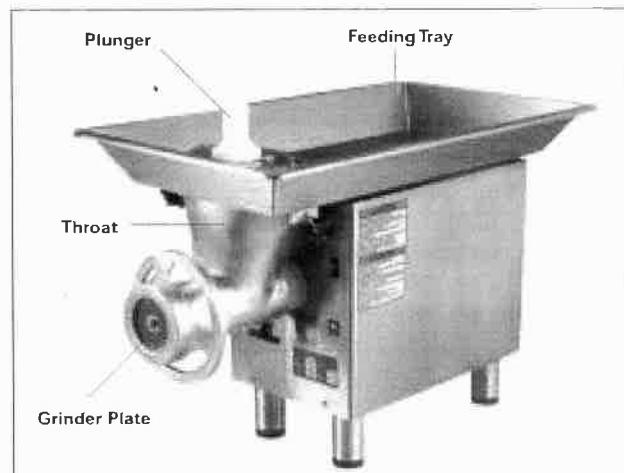
The following are some secondary safeguarding methods, work practices and complementary equipment that may be used to supplement primary safeguarding or alone or in combination when primary safeguarding methods are not feasible:

- Develop and implement safe work (operating) procedures for slicers and conduct periodic inspections to ensure compliance.
- Ensure that all operators receive on-the-job training under the direct supervision of experienced operators until they can work safely on their own.
- Use warning signs to alert employees of the hazard and safety instructions.
- Instruct operators to use plungers to feed food into chute-fed slicers. For other slicers, they should use the feeding attachment located on the food-holder.
- Never place food into the slicer by hand-feeding or hand pressure.
- Instruct operators to retract the slicer blade during cleaning operations.
- Instruct operators to turn off and unplug slicers when not in use or when left unattended for any period of time.
- Perform servicing and maintenance under an energy control program in accordance with the *Control of hazardous energy (lockout/tagout)*, 29 CFR 1910.147, standard. You can avoid slicer lockout/tagout if the equipment is cord-and-plug connected equipment simply by having exclusive control over the attachment plug after you shut the slicer off and unplug it from the energy source.

Hazards of Meat Grinders

Electric meat grinders typically have a feeding tray attached to a tubular throat, a screw auger that pushes meat to the cutting blade and through the cutting plate, an on/off switch, a reverse switch, and a plunger. (See Figure 38.)

Figure 38 Stainless Steel Meat Grinder



Amputations can occur when:

- The operator reaches into the throat of the grinder while it is still operating or while it is switched off but still plugged in (energized). In the latter case, amputations can occur when the operator accidentally switches the grinder back on.
- The operator fails to use the attached feeding tray and throat.

Defective meat grinders, such as ones with holes in the throat or screw auger area, are also a source of workplace amputations and must be taken out of service.

Case History #16

An operator amputated his arm below the elbow while hand-feeding potatoes into a 5-horsepower meat grinder through a feed throat with a 4-inch-by-6-inch opening and no point of operation guard. This untrained employee had been working on the machine for only 15 minutes.

Case History #17

An employee amputated her hand about 4 inches above the wrist while using an inadequately guarded meat grinder. She had disassembled the grinder to clean it, but did not replace the fixed guard along with the stainless steel tray when

she reassembled it. Also, she did not use the plunger provided for feeding the meat into the grinder. The machine pulled her hand into the 3-inch diameter auger and amputated it above the wrist.

Source: OSHA IMIS Accident Investigation Database.

Safeguarding and Other Controls for Meat Grinders

Meat grinders must be retrofitted with a primary safeguard, such as a properly designed tapered throat or fixed guard, in cases where the machine design is such that an employee's hand may come in contact with the point-of-operation (that is the auger cutter area). You should buy meat grinders already equipped with this primary safeguard.

The following are some other secondary safeguarding methods, work practices, and complementary equipment that may be used to supplement primary safeguarding or alone or in combination when primary safeguarding methods are not feasible:

- Develop and implement safe work (operating) procedures for meat grinders to ensure that the guards are adequate and in place, and that the grinder feeding methods are performed safely. Conduct periodic inspections of grinder operations to ensure compliance.
- Use warning signs to alert employees of the hazard and safety instructions.
- Ensure that all operators receive appropriate on-the-job training under direct supervision of experienced operators until they can work safely on their own.
- Provide operators with properly sized plungers to eliminate the need for their hands to enter the feed throat during operation.
- Instruct operators to use the proper plunger device to feed meat into grinders. No other device should be used to feed the grinder.
- Instruct employees to operate grinders only with feeding trays and throats installed.
- Instruct operators to use the meat grinder only for its intended purpose.
- Instruct operators to turn off and unplug grinders when not in use or when left unattended for any period of time.
- Perform servicing and maintenance under an energy control program in accordance with the

Control of hazardous energy (lockout/tagout), 29 CFR 1910.147, standard. You can avoid slicer lockout/tagout if the equipment is cord-and-plug connected equipment simply by having exclusive control over the attachment plug after you shut the slicer off and unplug it from the energy source.

Applicable Standards

- 29 CFR 1910.147, *Control of hazardous energy (lockout/tagout)*.
- 29 CFR 1910.212, *General requirements for all machines*.
- 29 CFR 1910.219, *Mechanical power-transmission apparatus*.

Sources of Additional Information

- OSHA Instruction CPL 03-00-002, *National Emphasis Program on Amputations*.
- OSHA Publication 3067, *Concepts and Techniques of Machine Safeguarding* (http://www.osha.gov/Publications/Mach_Safeguard/toc.html)
- OSHA *Machine Guarding eTool* (<http://www.osha.gov/SLTC/etools/machineguarding/index.html>)
- OSHA *Lockout/Tagout Interactive Training Program* (<http://www.osha.gov/dts/osta/lototraining/index.htm>)

Hazards of Meat-Cutting Band Saws

Band saws can cut wood, plastic, metal, or meat. These saws use a thin, flexible, continuous steel strip with cutting teeth on one edge that runs around two large motorized pulleys or wheels. The blade runs on two pulleys (driver and idler) and passes through a hole in the work table where the operator feeds the stock. Blades are available with various teeth sizes, and the saws usually have adjustable blade speeds.

Unlike band saws used in other industries, meat-cutting band saws are usually constructed of stainless steel for sanitary purposes and for easy cleaning. The table, which may slide or roll, has a pushing guard installed to protect the operator while feeding the saw. Meat-cutting band saws may also be equipped with a fence and pushing guard to feed the meat through the band saw. (See Figure 39.)

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Appendix E

OSHA DTSEM FS-3794 - Preventing Cuts and Amputations from Food Slicers and Meat Grinders,
dated May 2015.

OSHA FactSheet

Preventing Cuts and Amputations from Food Slicers and Meat Grinders

Food slicers and meat grinders used in food service industries such as grocery stores, restaurants and delicatessens can cause serious cuts and amputations when workers operate, perform maintenance, or clean the machines. This fact sheet provides employers with the requirements of the Occupational Safety and Health Administration (OSHA) and ways to prevent cuts and amputations in workplaces with food slicers and meat grinders.

Introduction

Amputations are among the most severe workplace injuries and often result in permanent disability. In 2013, at least 4,000 incidents involving meat slicers occurred that resulted in lost workdays.

Food slicers (see Figure 1) are electrically-powered machines typically equipped with a rotary blade, an on/off switch, a thickness adjustment, and a food holder or chute. Operators may use a pushing/guarding device, plunger, or gravity (e.g., with or without an attachment connected to the food holder) to apply pressure to the food against the slicer blade.

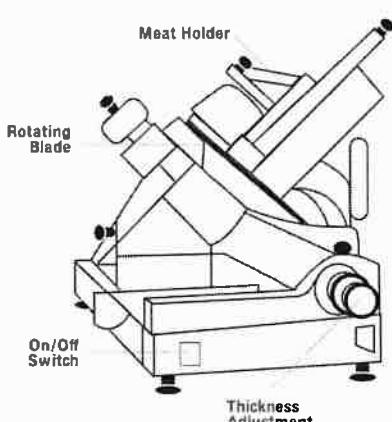


Figure 1

Electric meat grinders typically have a feeding tray that holds uncooked meat as the worker pushes it into the machine. The meat is then pulled inside the grinder (see Figure 2) by the feed screw and then through the cutting plate. Other parts include an on/off switch, a reverse switch, and a food pusher (i.e., plunger).

OSHA Regulations

Employers must comply with the following OSHA standards (29 CFR) to protect workers from hazards associated with food slicers and meat grinders:

- 1910.212 Machine Guarding
- 1910.138 Hand Protection
- 1910.147 Control of Hazardous Energy

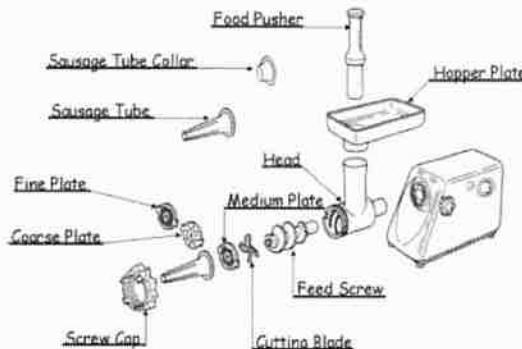


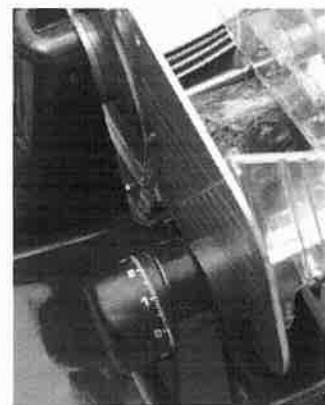
Figure 2

In addition, 29 CFR 1904.39 recording and reporting requirements may apply if a work-related incident results in an amputation, including fingertip amputations with or without bone loss.

The *Fair Labor Standards Act* (FLSA) prohibits workers under the age of 18, in non-agricultural occupations, from operating powered equipment considered hazardous, including food slicers and meat grinders.

Preventing Food Slicer and Meat Grinder Injuries

All food slicer and meat grinder work activities present hazards that may result in severe cuts or amputations. Employers must select and provide workers with appropriate hand protection, including cut-resistant gloves, when there is potential for



workers' hands to come in contact with the blades. Safe work procedures also include fully retracting (zero) the blade when the slicer is not in use or when cleaning the blade. Employers should provide meat grinder operators with properly sized plungers to eliminate the need for their hands to enter the feed throat during operation.

Operating and cleaning food slicers and meat grinders are two separate work activities that may require additional hazard controls.

Preventing Worker Injuries When Using a Food Slicer

When food slicers are in use, or turned off but still energized, the top and bottom of the slicer are hazardous areas where workers' fingers and hands may contact the blade, causing serious cuts or amputations.

Rotary blade food slicers must be used with guards that cover the unused portions of the slicer blade on both the top and bottom of the slicer. Employers should buy slicers already equipped with a feeding attachment on the food holder sliding mechanism or purchase this attachment separately and install it before use.

Worker training topics should include to:

- Never put a hand behind the food chute guard.
- Never place food into the slicer by hand-feeding or hand pressure.
- Use a pushing/guarding device with chute-fed slicers.
- Use plungers to feed food into chute-fed slicers or use the feeding attachment located on the food holder.
- Turn off the food slicer when changing foods.
- Keep hands out of the danger zone on the back of the blade where the sliced food exits.
- Turn off and unplug slicers when not in use or when left unattended for any amount of time.



Preventing Worker Injuries When Using a Meat Grinder

Employers must ensure that meat grinders are retrofitted with a primary safeguard (e.g., properly designed tapered throat or fixed guard) if a worker's hand may come into contact with the point-of-operation (i.e., the auger cutter area).

Worker training topics should include to:

- Only use a proper plunger when feeding meat into grinders.
- Operate grinders only when feeding trays and throats have been installed.
- Use the meat grinder only for its intended purpose.
- Turn off and unplug grinders when not in use or when left unattended for any period of time.

Preventing Injuries When Maintaining/ Cleaning a Food Slicer or Meat Grinder

Maintaining or cleaning a food slicer or meat grinder requires workers to remove protective guards. Employers must ensure that the food slicer or meat grinder will not unexpectedly start up and that workers' hands are protected from severe cuts or amputations when guards are removed for maintenance or cleaning.

A Lockout/Tagout (LO/TO) program is required under 29 CFR 1910.147 when the guards are removed unless the worker, maintaining or cleaning the unguarded machine, unplugs the food slicer from the energy source and has exclusive control of the plug to ensure that no one else can unexpectedly start the machine.

A LO/TO program must include:

- Procedures for locking out or tagging out food slicers.
- Specific LO/TO training.
- Periodically review LO/TO procedures to ensure that all requirements are followed.

The following safe maintenance/cleaning practices and procedures are explained in the manufacturer's operating manual:

- Adding distance between the hand and sharp edges by using a cleaning device with a handle.
- Wiping the blade from the center outward to avoid contact with the blade edge.
- Never wiping toward the blade when cleaning the slicer table.

Training Employers Should Provide

Employers should ensure that all operators receive on-the-job training under the direct supervision of experienced operators until they can work safely on their own. Thorough operator training, including equipment-specific topics, should be based on the manufacturer's recommendations and include the following safe operating and cleaning procedures for the equipment they will use:

- Hazards associated with food slicers and meat grinders
- How to use the required safeguards and how they provide protection
- How and under what circumstances to remove safeguards (in most cases, by repair or maintenance personnel only)
- How to prevent unexpected start-up during cleaning or maintenance using appropriate LO/TO procedures
- Hand protector usage and limitations
- What to do (e.g., contact the supervisor) if a safeguard is damaged, missing, or unable to provide adequate protection

Training is necessary for new operators and maintenance or setup workers, when any new or altered safeguards are put in service, or when workers are assigned to a new machine or operation.

Helpful Resources

Youth Worker Safety in Restaurants eTool - Food Preparation, OSHA. www.osha.gov/SLTC/youth/restaurant/equipment_foodprep.html

Safeguarding Equipment and Protecting Employees from Amputations, OSHA publication 3170-02R, 2007. www.osha.gov/Publications/OSHA3170/3170-02R-2007-English.html

Meat Slicer Training and Safety, University of California Riverside. www.ehs.ucr.edu/safety/recipes/Meat Slicer Safety.pdf

Additionally, many manufacturers have developed and posted videos on food slicer and meat grinder general use, cleaning, and safety. These videos are available on the manufacturer's website or posted on popular video sharing websites.

Contact OSHA

For more information, to report an emergency, fatality or catastrophe, to order publications, to file a confidential complaint, or to request OSHA's free on-site consultation service, contact your nearest OSHA office, visit www.osha.gov, or call OSHA at 1-800-321-OSHA (6742), TTY 1-877-889-5627.

Workers' Rights

Workers have the right to:

- Working conditions that do not pose a risk of serious harm.
- Receive information and training (in a language and vocabulary the worker understands) about workplace hazards, methods to prevent them, and the OSHA standards that apply to their workplace.
- Review records of work-related injuries and illnesses.
- File a complaint asking OSHA to inspect their workplace if they believe there is a serious hazard or that their employer is not following OSHA's rules. OSHA will keep all identities confidential.
- Exercise their rights under the law without retaliation, including reporting an injury or raising health and safety concerns with their employer or OSHA. If a worker has been retaliated against for using their rights, they must file a complaint with OSHA as soon as possible, but no later than 30 days.

For more information, see OSHA's Workers page.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: 1-877-889-5627.

For assistance, contact us. We can help. It's confidential.



www.osha.gov (800) 321-OSHA (6742)



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